

**Town of Durham
Board of Selectmen Meeting Minutes
November 17th 2015**

Call to Order: Selectman Wakeman called the meeting to Order at 6:30 p.m.

Members Present: Chairman Jeffrey Wakeman, Vice Chairman Sarah Hall, Selectman Mark Blake, Selectman Michael Stewart, Selectman Joshua Libby.

Quorum: Chairman Wakeman announced a Quorum has been met with five (5) members present.

Also Present: AA/TA Ruth Glaeser, Road Commissioner Calvin Beaumier, Codes Official Paul Baines, Fire Chief/EMA Director William St. Michel, Secretary Jill Toher.

Pledge of Allegiance: Completed.

Amendments to the Agenda: None.

Public Present: Donna Church, Jason Bowie, Michelle Ritcheson, Kevin Nadeau.

Public Comments: None.

Assessor's Session: **Chairman Wakeman Moves** the Board into Assessor's Session pursuant to Title #36, M.R.S.A., ss 841 at 6:31 p.m. Selectman Libby Second. Motion Carried 5-0.

a. Abatement Request for Map #002 Lot #015 -

Chairman Wakeman Moves to Approve an Abatement of \$172.26 per the recommendation of Donna Hays, C.M.A., to Nahum and Victoria Cloutier, 1492 Royalsborough Road, due to an error in land area. Selectman Libby Second. Motion Carried 5-0.

b. Sales Ratio Analysis – Chairman Wakeman announced the Sales Ratio Analysis has been completed by Donna Hays, CMA, a copy of which has been distributed to the Selectmen tonight.

Chairman Wakeman Moves the Board out of Assessor's Session at 6:36 p.m. Vice Chairman Hall Second. Motion Carried 5-0.

Consent Agenda:

- a. **Approval of Treasurer's Payables Warrant**
- b. **Approval of Regular Selectmen's Meeting Minutes–November 3rd 2015**
- c. **Correspondence:**
 - 1. **Email regarding the Royal River Conservation Trust**
- d. **Bill of Sale regarding Property – Map #005, Lot #56-17**

Selectman Stewart questioned the Road Commissioner why the DPW went to Portland Sand and Gravel in Gray in order to get gravel. Road Commissioner Baumier stated that the regular vendor had equipment problems and could supply not gravel on the date needed. Selectman Stewart suggested that in the future, the Road Commissioner rely on vendors located closer to Town.

Selectman Libby Moves to Approve the Consent Agenda as presented. Vice Chairman Hall Second. Motion Carried 5-0.

Action and Discussion Items:

a. **RSU#5 Withdrawal Petition** – Chairman Wakeman stated that signatures on the Withdrawal Petition were compared by AA/TA Glaeser to the signature cards on file. He advised that State Law doesn't require signature comparisons, only to verify voter information to the CVR.

AA/TA Glaeser's findings are as follows: 1) two signatures are missing on the petition; 2) two signatures are not from registered voters; 3) twelve signatures did not appear to match the signature cards, which leaves 210 signatures from registered voters that match the signature cards. The number of signatures required is 214. Copies of the signature cards have been made and Chairman Wakeman asked the Board for their input by comparing the signature card copies to the signatures on the Petition.

After a lengthy discussion, Chairman Wakeman directed AA/TA Glaeser to phone each of the questionable signators to determine validity of their signatures and report back at the next Board meeting.

Selectman Blake Moves to have AA/TA Glaeser phone to verify those signatures in question. Selectman Libby Second. Motion Carried 5-0.

Selectman Blake Moves to allow a period of two more weeks to gather additional signatures. Selectman Libby Second. Motion Carried 5-0.

Kevin Nadeau suggested the Town establish a protocol for Petitions. Chairman Wakeman instructed AA/TA Glaeser to check with MMA on policy requirements for signatures.

b. County Settlement Proposal – The Board reviewed materials received regarding a Settlement Proposal and Settlement Term Sheet received from the County Commissioners, the defendants in this civil action. After discussion, the Board of Selectmen decided to reject the Settlement Proposal and the Settlement Fact Sheet.

A Stipulation of Dismissal is currently with the Judge and is awaiting his ruling in this matter.

Selectman Libby Moves to have Durham continue moving forward with the lawsuit and to notify all parties involved with this decision. Selectman Blake Second. Motion Carried 5-0.

Chairman Wakeman announced there will be a Public Hearing on Wednesday, November 18th 2015 at the Androscoggin County Courthouse to voice opinions on the Proposed Budget at 6:00 p.m.

Department/Committee Reports:

a. Town Administrator AA/TA Glaeser – AA/TA Glaeser reported that two applications have been received for the PIT position and has supplied Board members with copies tonight for review.

b. Road Commissioner Beaumier – The Road Commissioner reported as follows: 1) The generator has been installed at the DPW and propane has been set and filled. CMP is to make the transfer on November 24th 2015; 2) He is in contact with the driver's insurance company and has an estimate of \$640.00 to repair the stone wall that houses the DPW sign and is waiting for an estimate for curbing repair before sending to the driver's insurance company; 3) The Quaker Meetinghouse Road has been paved and shouldering should be finished by next Monday; 4) Pownal is grading all Durham roads with grading to be finished in the next two days; 5) Both Durham and Pownal crews attended Best Management Practices for Snow and Ice Control class on November 10th 2015; 6) He, the Fire Chief and the AA/TA attended an MMA Class on the Fair Labor Standards Act; and, 7) Crews are working on winter truck preparations; 8) He is working on making several proposed revisions to clarify the current DPW Personnel Policy to better define what "excessive" means as it pertains to attendance.

c. Codes Official Baines – The Codes Official reported as follows: 1) He is proposing the Selectmen consider waiving fees for electrical permits to residents who want to upgrade the smoke detector/CO systems to the current Code requirements in order to obtain a C.O or Certification of Completion; 2) He has been appointed to the Technical Advisory Group to help assess the 2015 IECC changes and recommended changes to MUBEC; 3) He re-issued building permits to the Babcocks and the Wormwood/Allen family have applied to be heard before the Appeals Board on December 8th 2015; 4) He is requesting permission from the

Building Science Corporation to link their publications to the Codes page of the Town Website; 5) He reported the next LUO Ordinance Workshop will be held tomorrow night at the Town Office beginning at 6:00 p.m.; 6) He also reported that Chris Cross attended the last meeting of the Historic District Commission and offered many good ideas to the group; and, 7) He wants to be satisfy the criteria and be certified in 80K violations. It was the consensus of the Board to add this to the Codes Official's Job Description.

d. Fire Chief/EMA Director St. Michel - The Fire Chief reported as follows: 1) the final invoice for the tower, \$18,135.14, is on tonight's Payables Warrant as work is now complete and the actual cost was \$290.00 below the original estimate; 2) He stated that Damage Assessment Training will help with Hazard Mitigation; 3) The committee met last night regarding the Proposals received for the new fire truck to replace Engine #22 and advised he will have a report by the next Board meeting; 3) He reported that the amount budgeted for payroll is running between \$6,000.00 to \$7,000.00 short. He will make every effort to adjust the budget lines to make the figures work. 4) He reported the Sheriff's Department would like to have their antennas on Durham's new tower. The Selectmen suggested the Fire Chief negotiate terms regarding the installation; and, 5) The Fire Chief suggested the Town undergo a Fair Labor Assessment and the Board asked AA/TA Glaeser to investigate and report back on her findings.

Selectmen's Comments:

Chairman Wakeman announced the following: Regular Selectmen's meetings will be held on Tuesday, December 1st 2015 and Tuesday, December 15th 2015 at the Town Office at 6:30 p.m.

The Office will be closed on Thursday, November 26th 2015 and Friday, November 27th 2015 in observance of the Thanksgiving Holiday.

Nomination papers will be available on Thursday, January 7th 2016 to fill two three year terms for the Board of Selectmen with a term to expire in April, 2019. Forms will be available at the Town Office and require a minimum of twenty-five (25) signatures and no more than one hundred (100) signatures.

All nomination papers need to be completed and filed at the Town Office on or before Tuesday, February 16th 2016 by 4:30 p.m. Residents may call the Town Office with any questions at 353-2561. Voter registration is available at the Town Office during the year during regular business hours.

The Budget Committee has three seats available for three year terms. RSU#5 Board of Directors has one seat vacant for a three year term.

Selectman Stewart reported that ACO Pat Johnson has been quite busy and would like him to make a full report as the position is turning out to be a bigger job than anticipated.

Chairman Blake cautioned residents who own dogs to make sure their animal wears blaze orange whenever they are outside so that they are visible to hunters.

Chairman Wakeman Moves the Board into Executive Session pursuant to Title #1, M.R.S.A., Chapter #13, ss. 405(6)(C) – Real Estate - preceded by a brief recess at 7:30 p.m. Vice Chairman Hall Second. Motion Carried 5-0.

Respectfully submitted,

Jill S. Toher
Secretary

Chairman Wakeman Moves the Board out of Executive Session at 7:38 p.m.

ACTION TAKEN: None.

Chairman Wakeman Moves the Board into Executive Session pursuant to Title #1, M.R.S.A., ss. 405(6)(A) – Personnel – Fire Department Reviews at 7:39 p.m. Vice Chairman Hall Second. Motion Carried 5-0.

Chairman Wakeman Moves the Board out of Executive Session at 7:50 p.m.

ACTION TAKEN: **Chairman Wakeman Moves** to Accept Reviews. Selectman Libby Second. Motion Carried 5-0.

Chairman Wakeman Moves the Board into Executive Session pursuant to Title#1, M.R.S.A., ss. 405 (6)(A) – Personnel – Town Administrator Review at 7:51 p.m.

Chairman Wakeman Moves the Board out of Executive Session at 8:30 p.m.

ACTION TAKEN: **Chairman Wakeman Moves** to Accept Review. Selectman Stewart Second. Motion Carried 5-0.

Chairman Wakeman Moves the Board into Executive Session pursuant to Title #1, M.R.S.A., ss. 405 (6)(A) – Personnel – Fire Chief Review at 8:31 p.m.

Chairman Wakeman Moves the Board out of Executive Session at 9:33 p.m.

ACTION TAKEN: **Chairman Wakeman Moves** to Accept Review. Selectman Stewart Second. Motion Carried 4-1 with Selectman Libby Against.

Adjournment: **Selectman Libby Moves** to Adjourn at 9:34 p.m. Selectman Blake Second. Motion Carried 5-0.

Respectfully submitted,

Jeffrey Wakeman
Chairman